



## Austin City Council MINUTES

December 15, 1994

Mayor Todd called to order the meeting of the Council, noting the presence of all of the Council.

1. Approval of Minutes for Regular Meeting of December 8, 1994 and Special Meetings of December 2, 3, 4, 5, 6 and 7, 1994.

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Goodman temporarily absent.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Roger Baker, to discuss matters arising.
3. Mr. Gus Pena, to address crime in East Austin, soup kitchen, other issues that East Austin residents are concerned about, juvenile crime issues.
4. Mr. Joe Quintero, talk about crime in East Austin, soup kitchen problem, juvenile crime, MEMR expansion treatment center.  
Not present
5. Mr. Leonard Lyons, promote a new game better than "monopoly" - called City Hall Power Spending. Who ends up in control? Who ends up bankrupt?
6. Mr. Richard Trachtenberg, City issues.  
Not present
7. Mr. Dave Sullivan, solve the problems that inspire bicyclists to ride in critical mass.
8. Mr. Shaun Stenshol, matters arising.
9. Mr. Buell Steelman, to inform City Council of Austin Police Department actions during the December 9th Critical Mass Bike Ride.  
Not present
10. Mr. Josef Schneider, inform Council of Police conduct at Critical Mass ride of December 9, 1994.  
Not present
11. Mr. Tommy Eden, to protest unwarranted police harassment of bicyclists, and to demand a Citizen's Police Review Board.

ORDINANCES

12. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5404 Jeff Davis Avenue, Case No. C14-94-0089, from "SF-3", Family Residence, to "MF-3", Multi-Family Residence (medium density), PRADZYNSKI LIVING TRUST (Andrezj Pradzynski), by MGC Engineering (Sam Mikhail). First reading on September 1, 1994; Vote 6-0, Councilmember Garcia absent. Conditions met as follows: Conditions have been met.  
Ordinance 941215-A approved
13. Authorize acceptance of a grant from the Capital Area Planning Council (CAPCO) in the amount of \$70,683 to establish a public used oil recycling facility and conduct an advertising and marketing campaign in cooperation with Travis County to promote waste oil disposal through existing public and private collection sites; amend Ordinance No. 940912-D, the 1994-95 operating budget, by increasing budget revenue and expenditures by \$70,683 in the Solid Waste Services Special Revenue Fund.  
Ordinance 941215-B approved
14. Authorize acceptance of \$25,000 from the Austin Area Garden Council; amend Ordinance 940912-E, the 1994-95 Capital budget of the Arts in Public Places Project for the design and construction of the Zilker Botanical Garden Gate.  
Ordinance 941215-C approved
15. Amend Ordinance No. 940912-C to rescind the CHILD CARE/FOSTER HOME PERMIT fee of \$50.00. (Revenue for the proposed fee was not included in the 1994-95 adopted budget.)  
Ordinance 941215-D approved
16. Amend Ordinance No. 940912-D, the 1994-95 operating budget by decreasing the General Fund Contingency Reserve and increasing the General Fund Transfer Out to the Capital Budget by \$25,000; amend Ordinance No. 940912-E, the 1994-95 Capital Budget increasing the General Fund Transfer In and increasing the appropriation of the Capital Budget for the Parks and Recreation Department for the Multi-Purpose Stadium Project by \$25,000. (Related to Item 83)  
Ordinance 941215-E approved
17. Approve the transfer of control and ownership of Gold Cross Ambulance Services, pursuant to the franchise agreement with the City of Austin. (No fiscal impact.)  
Ordinance 941215-F approved

Items 12-17 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote

Towing Regulations (Items 18-20)

18. Amend Chapter 8-14 of the Code of the City of Austin, Article VI, Towing Regulations, as amended by making the changes required by the "Federal Aviation Administration Authorization Act of 1994" which becomes effective January 1, 1995.

Ordinance 941215-G approved with corrections deleting page 10, subsection 3, renumber 4 to number 3, on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

19. Authorize fees to be changed in conjunction with Chapter 8-14 of the Code of the City of Austin, Article VI, Towing Regulations, as amended by making the changes required by the "Federal Aviation Administration Authorization Act of 1994" which becomes effective January 1, 1995. (This will result in a reduction of \$6,110 in fee revenue.)

Ordinance 941215-H approved

20. Repeal Ordinance 940421-D, and establishing the maximum fees that may be charged by the towing business permit holders amending Chapter 8-14 of the Code of the City of Austin, Article VI, Towing Regulations, as amended by making the changes required by the "Federal Aviation Administration authorization Act of 1994" which becomes effective January 1, 1995.

Ordinance 941215-I approved

21. Amend Section 6-1-71 of the Austin City Code to provide an additional one month term for the initial board of directors of the Austin Hospital Authority and re-appointing the board of directors. (No fiscal impact.) [Related to Item 25]

Ordinance 941215-J approved

Zaragoza Recreation Center (Items 22-24)

22. Amend Ordinance No. 940912-E, the 1994-95 Capital budget, increasing the appropriation of the Capital budget for the Parks and Recreation Department for the Zaragoza Recreation Center project by a total of \$600,000. (Funding is available through the 1992 General Obligation Bond Sale.) (To be reviewed by the Planning Commission on December 13, 1994) (Recommended by Planning Commission and Parks Board)

Ordinance 941215-K approved

RESOLUTIONS

23. Approve the adoption of an official Declaration of Intent to Reimburse acquisition and construction costs of the Zaragoza Recreation Center. (Funding in the amount of \$600,000 to be funded through the issuance of General Obligation Public Improvement Bonds to be sold in September 1995.)

Approved

24. Approve a construction contract award to CONSTRUCTORS & ASSOCIATES, Austin, Texas, for the construction of the Zaragoza Recreation Center, in the amount of \$2,380,000. (Funding was included in the 1994-95 Amended Capital budget of the Parks and Recreation Department.) Low bid of three (3). 28.70% MBE, 7.24% WBE Subcontractor participation. (To be reviewed by the Planning Commission and Parks Board on December 13, 1994)  
Approved

Brackenridge Hospital (Items 25-29)

25. Approve negotiation and execution of a sixth amendment to the contract with the Austin Hospital Authority to provide an extension from the current termination date of December 31, 1994 to February 2, 1995. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital) [Related to Item 21]  
Approved
26. Approve execution of a twelve (12) month supply agreement with VALLEYLAB, INC., Boulder, Colorado, for electrode blades, pencils, and electrosurgical accessories to be used in the Surgery Department, in an amount not to exceed \$44,474.74 to include an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$44,474.74 for each extension, for a total amount not to exceed \$133,424.22. (Funding in the amount of \$33,356.05 is available in the 1994-95 operating budget of Brackenridge Hospital; funding for the final three (3) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.  
Approved
27. Approve execution of a twelve (12) month supply agreement with BAXTER HEALTHCARE CORPORATION, San Antonio, Texas, for suction canister liners to be used throughout Brackenridge Hospital, in an amount not to exceed \$65,545.20 with an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$65,545.20 per extension, for a total amount not to exceed \$196,635.60. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital; funding for the final three (3) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of three (3) meeting specifications. No M/WBE Subcontracting opportunities were identified.  
Approved
28. Approve execution of a twelve (12) month supply agreement with BAXTER DIAGNOSTICS DIVISION, Grand Prairie, Texas, for Minimal Inhibitory Concentration (MIC) identification system and test panels used by the Hospital Lab in diagnosis of disease, in an amount not to exceed \$50,309.20 to include an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$50,309.20 for each extension, for a total amount not to exceed \$150,927.60. (Funding in the amount of \$37,731.90 is available in the 1994-95 operating budget of Brackenridge Hospital; funding for the final three (3) months

of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved

29. Approve execution of a twelve (12) month supply agreement with SOUTHERN SAFETY SALES, Austin, Texas, for a variety of disposable needles and syringes used throughout Brackenridge patient care areas, in an amount not to exceed \$125,604.64 to include an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$125,604.64 for each extension, for a total amount not to exceed \$376,813.92. (Funding in the amount of \$94,203.48 is available in the 1994-95 operating budget of Brackenridge Hospital; funding for the final three (3) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of nine (9) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

30. Approve execution of a twelve (12) month supply agreement with DISTRIBUTION INTERNATIONAL, Corpus Christi, Texas, for safety supplies (safety harness, helmets, face shields, safety glass, etc.) to be stocked by Materials Management for all City Departments, in an amount not to exceed \$40,888.36 with two (2) twelve (12) month extension options in an amount not to exceed \$40,888.36 per extension, for a total amount not to exceed \$122,665.08. (Funding in the amount of \$30,666.24 is available in the 1994-95 operating budget of the user departments. Funding for the remaining three (3) months and the extension options is contingent upon available funding in future budgets.) Low bid of seventeen (17). No M/WBE Subcontracting opportunities were identified.

Approved

31. Approve execution of a six (6) month agreement through the STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM with BANDAG, INC., Muscatine, Iowa, MODERN TIRE SERVICE, Austin, Texas, and JOE ESCOE TIRE COMPANY, Dallas, Texas, for the purchase of various sized retread truck tires for the City's fleet, in an amount not to exceed \$200,000 for all contracts. (Funding is available in the 1994-95 Fleet Maintenance Fund.)

Approved

32. Approve a construction contract award to F & W ELECTRICAL CONTRACTORS, INC., San Antonio, Texas, for construction of an emergency power generator system at Robert Mueller Municipal Airport Aircraft Rescue and Fire Fighting Facility, in the amount of \$39,000. (Funding was included in the 1994-95 Approved Capital budget of the Aviation Department.) Low bid of three (3). 64.10% DBE Participation: 64.10% MBE, 0% WBE. (Reviewed by the Airport Advisory Board)

Approved

33. Approve execution of a contract with G T DISTRIBUTORS, INC., Austin, Texas, for the purchase of ballistic resistant body armor vests for EMS employees, in the

amount of \$49,544.69. (Funding is available in the 1994-95 operating budget of the Emergency Medical Services Department.) Low bid of seven (7) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

34. Approve Change Order #4 to EDWARD R. COLEMAN COMPANY, Austin, Texas, for additional quantities and new materials for a redesign of the channel for the U.S. 183 Offsite Drainage Improvements, Phase 3, in the amount of \$37,300, for a total contract amount of \$405,203.18. (Funding was included in the 1991-92 Capital budget of the Public Works and Transportation Department.) 22.79% MBE, 13.40% WBE Subcontractor participation.

Approved

35. Approve a contract award to AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the construction of an erosion control project located on Tannehill Branch, upstream from Old Manor Road at East 51st Street, in the amount of \$129,620.80. (Funding was included in the 1994-95 Capital budget of the Public Works and Transportation Department.) Low bid of two (2). 6.41% MBE, 12.95% WBE Subcontractor participation. (Recommended by Environmental Board)

Approved

36. Approve execution of a twelve (12) month supply agreement with BAXTER HEALTHCARE CORPORATION, INDUSTRIAL PRODUCTS, Austin, Texas, for the purchase of laboratory plastic and glassware, in an amount not to exceed \$56,145.50 with options to extend for two (2) additional twelve (12) month periods in an amount not to exceed \$56,145.50 per option period, for a total amount not to exceed \$168,436.50. (Funding is available in the 1994-95 operating budget of the Water and Wastewater Utility. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

37. Authorize negotiation and execution of Amendment #1 to the Professional Services Agreement with ESPEY, HUSTON AND ASSOCIATES, INC., Austin, Texas, for Phase II (design) and Phase III (construction) engineering and associated services for the Lower Harris Branch/Gilleland Creek Basin Wastewater System Improvements Project, in the estimated amount of \$184,000, for a total contract amount of \$252,964. (Funding was included in the 1991-92 Approved Capital budget of the Water and Wastewater Utility.) 10% MBE, 10.3% WBE Subconsultant participation.

(Recommended by Water and Wastewater Commission)

Approved

38. Approve a construction contract award to BORAH, INC., Round Rock, Texas, to replace a 10" wastewater line with a 12" wastewater line in the area of Springdale Road and East 51st Street for the Group 2 Wastewater Rehabilitation Project, in the amount of \$107,774. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of nine (9). 18.01% MBE, 6.18% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

39. Approve a construction contract award to GRIFFIN-AUSTIN COMPANY, INC., Manchaca, Texas, for inspection of wastewater lines in the Edwards Aquifer Recharge Zone, in the amount of \$237,180.50. (Funding was included in the 1992-93 Approved Capital budget of the Water and Wastewater Utility.) Low bid of five (5). 17.08% MBE, 3.07% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
Approved
40. Approve negotiation and execution of a contract with COMPUTER ASSOCIATES, Islandia, New York, for the renewal licensing and software maintenance for Datacom/DB for Multiple Virtual Storage (MVS) and Ideal for MVS software products used on the City's mainframe computer, in an amount not to exceed \$83,076. (Funding is available in the 1994-95 operating budget of the Information Systems Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
Approved
41. Authorize a Community Development Block Grant (CDBG) Housing Implementation Program (HIP) loan for up to \$390,000 to Project Transitions, Inc., for the acquisition and rehabilitation of a 24-unit assisted living facility located at 5606 Roosevelt Avenue for individuals living with AIDS. (Funding is available in the 1994-95 Special Revenue Fund of the Planning and Development Department.) [To be reviewed by the Housing Subcommittee on December 13, 1994] (Recommended by the Housing Subcommittee)  
Approved
42. Authorize a HOME Rental Rehabilitation loan of \$80,250 to Ron Aitken DBA Casa Del Sol Apartments for the rehabilitation of thirty (30) apartment units for low income households located at 5403 Jeff Davis. (Funding is available in the 1994-95 Special Revenue Fund of the Planning and Development Department.) (To be reviewed by the Housing Subcommittee on December 13, 1994) (Recommended by the Housing Subcommittee)  
Approved
43. Authorize a Community Development Block Grant (CDBG) Housing Implementation Program (HIP) loan for \$85,000 to Roy Henry for the acquisition of ten (10) apartment units for low income households located at 2902 Sweeney Lane. (Funding is available in the 1994-95 Special Revenue Fund of the Planning and Development Department.) (To be reviewed by the Housing Subcommittee on December 13, 1994) (Recommended by the Housing Subcommittee)  
Approved
44. Authorize a Rental Rehabilitation Program (RRP) loan for \$50,000 to Austin Housing Finance Corporation for the rehabilitation of forty (40) apartments for low to moderate income households located at 7418 Cameron Road. (Funding is available in the Special Revenue Fund of the Planning and Development Department.) (To be reviewed by the Housing Subcommittee on December 13, 1994) (Recommended by the Housing Subcommittee)  
Approved

45. Approve the negotiation and execution of Program Income and Close-out Agreements with Anderson Community Development Corporation, Blackland Community Development Corporation, and Guadalupe Neighborhood Development Corporation (the "Neighborhood Based Organizations" or NBOs) for the purpose of fulfilling all remaining U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant requirements of previous City-NBOs Affordable Housing Agreements. (No fiscal impact.) [Recommended by the Housing Subcommittee]  
Approved

46. Authorize an Interlocal Agreement with Travis County to provide limited use of the Municipal Courtroom facilities for Travis County Administrative Hearings, with an initial term of nine (9) months and renewal term of one (1) year. (No fiscal impact.)  
Approved

Items 19-46 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

47. Amend the Personnel Policies, Chapter II, Conditions of Work, to add a new Section N which establishes an alcohol and drug policy for commercial vehicle drivers. (Funding in the amount of \$48,570. for administration of the City's Drug and Alcohol Testing Program is available in the 1994-95 operating budget for the Human Resources Department.) [Related to Item 48]

Approved funding in the amount of \$48,750.00 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

48. Approve negotiation and execution of a twelve (12) month contract with EXAMINATION MANAGEMENT SERVICES, INC., Dallas, Texas, for administration of the City's Drug and Alcohol Testing Program, in an amount not to exceed \$65,000 with two (2) twelve (12) month extension options in an amount not to exceed \$65,000 per option, for a total amount not to exceed \$195,000. (Funding in the amount of \$48,750 is available in the 1994-95 operating budget of the Human Resources Department. Funding for the remaining three (3) months of the original contract and the extension options will be contingent upon available funding in future budgets.) Best proposal of three (3). No M/WBE Subcontracting opportunities were identified. (Related to Item 47)  
Approved

49. Approve negotiation and execution of an amendment providing twelve (12) month social services contract extensions with 15 private non-profit social service agencies in an amount not to exceed \$1,645,738; and 11-month social services contract extensions with 52 private non-profit social service agencies in the amount \$4,994,094 with the option to extend the contracts 1 additional month in an amount not to exceed \$454,008, for a total amount of \$5,448,102; for a total of \$7,093,840. (Funding is available in the 1994-95 Social Services budget of the Health and Human Services Department. Funding for the 1-month extension is contingent upon Council approval of the 1995-96 operating budget.) [Recommended by the Community Action Network]  
Approved

50. Express the City of Austin's official intent to reimburse eligible costs associated with improvements of the City of Austin telecommunications network, which includes a telephone system upgrade and Phase I of the Greater Austin Area Telecommunications Network (GAATN). (Funding in the amount of \$2,225,000 is available through the issuance of contractual obligations to be sold in September, 1995.) [Related to Item 51]  
Approved
51. Approve execution of a contract with AT&T, Austin, Texas, for the purchase and installation of an AT&T Definity G3R PBX telephone system upgrade, in an amount not to exceed \$725,455.71. (Funding was included in the 1994-95 Capital budget of the Information Systems Department.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Related to Item 50)  
Approved
52. Approve negotiation and execution of a contract with COMPUTER ASSOCIATES INTERNATIONAL, INC., Islandia, New York, for the continued licensing and annual maintenance of IDMS software for the Austin Police Department, in an amount not to exceed \$60,355. (Funding is available in the 1994-95 operating budget of the Austin Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
Approved
53. Approve negotiation and execution of a contract with TEXAS SURVEILLANCE & SECURITY, INC., Austin, Texas, for the purchase and installation of a Closed Circuit TV Surveillance System at the Police Department, in an amount not to exceed \$61,759.83. (Funding in the amount of \$26,117.65 was included in the 1994-95 Capital budget of the Austin Police Department. Funding in the amount of \$35,642.18 is available in the State Asset Forfeiture Fund.) Best proposal of two (2). 1X MBE, 0X WBE Subcontractor participation.  
Approved
54. Approve negotiation and execution of a twelve (12) month contract with DIGITAL EQUIPMENT CORPORATION, Austin, Texas, for maintenance of digital equipment software, in an amount not to exceed \$294,336, with three (3) twelve (12) month extension options in amounts not to exceed \$314,939.52, \$336,985.29 and \$360,574.26 respectively, for a total contract amount not to exceed \$1,306,835.07. (Funding is available in the 1994-95 operating budgets for the following departments: Information Systems Department - \$85,572; Water and Wastewater Utility - \$74,412; Environmental and Conservation Services Department - \$19,488; Electric Utility - \$56,304; and Planning and Development Department - \$58,560. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)  
Approved
55. Deny the request by Time Warner Entertainment, L.P. to transfer its cable television franchise and facilities to a newly formed partnership entity. (No fiscal impact)  
Approved

56. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 5,226 square feet of land out of North Loop Plaza Resubdivision No. 1, a Subdivision situated in Travis County, Texas, owned by David G. Price, Trustee of the Price Revocable Trust dated August 2, 1982, for the Transportation Systems Management (TSM) North Loop at Burnet Road Project. (Appraised value is \$142,275.)  
Approved

Items 48-56 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

57. Approve payment of the annual membership in the Greater Austin-San Antonio Corridor of Texas, in the amount of \$50,000. (Funding is available in the 1994-95 operating budget of Financial Services Department).  
Postponed until January 5, 1995

3:00 P.M. - ELECTRIC UTILITY (Items 58-79)

58. Electric Utility Commission Report - John Moore
59. Resource Management Commission Report - No report given
60. Monthly Management Report - John Moore
61. Approve execution of a contract with FLIR SYSTEMS, C/O BUTLER & LAND, INC., Houston, Texas, for the purchase of a portable thermal imaging system used to analyze substation and transmission line electrical equipment, in the amount of \$49,395. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved
62. Approve execution of a twelve (12) month supply agreement with AUSTIN PIPE & SUPPLY COMPANY, INC., Austin, Texas, for the purchase of cast iron manhole covers and rings, in the amount of \$81,724 with the option to extend for one (1) additional twelve (12) month period in the amount of \$81,724, for a total amount of \$163,448. (Funding in the amount of \$61,293 is available in the 1994-95 operating budget of the Electric Utility Department. Funding for the final three (3) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved
63. Approve execution of a twelve (12) month supply agreement with VAN WATERS AND ROGERS, San Antonio, Texas, for caustic soda, used as a regenerant for the demineralizers at the Holly and Decker Power Plants, in the estimated amount of \$174,300 with the option to extend for one (1) twelve (12) month period in the estimated amount of \$174,300, for a total amount of \$348,600. (Funding in the amount of \$130,725 is available in the 1994-95 operating budget of the Electric

Utility Department. Funding for the final three (3) months of the original contract period and the extension option is contingent upon available funding in future budgets.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.

Approved

64. Approve execution of a contract with PAUWELS TRANSFORMERS, INC., Manitoba, Canada, for the purchase of two (2) 138/69-13.2kV autotransformer units for the Seaholm and Kingsberry Substations, in the total amount of \$2,704,816. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

Approved

65. Approve execution of a contract with R.N. EVANS GENERAL CONTRACTING, INC., Leander, Texas, for site work and construction of an electric facilities building at the Green Water Treatment Plant, in the amount of \$172,600. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of six (6). 10.43% MBE, 10.71% WBE Subcontractor participation.

Approved

66. Approve execution of a twelve (12) month supply agreements with SOUTHWAY ELECTRIC UTILITY SERVICE, INC., Austin, Texas, in the amount of \$192,305; TECHLINE, INC., Austin, Texas, in the amount of \$368,097; PRIESTER-MELL & NICHOLSON, Austin, Texas, in the amount of \$82,830; NEWELL PORCELAIN COMPANY, INC., Dallas, Texas in the amount of \$134,340; and POWER SUPPLY, INC., Austin, Texas, in the amount of \$80,658 for electrical substation/transmission items, in the total amount of \$858,230 with the option to extend for an additional twelve (12) month period, for a total amount of \$1,716,460. (Funding in the amount of \$643,672.50 is available in the 1994-95 operating budget of the Electric Utility Department. Funding for the final three (3) months of the original contract period and the extension option is contingent upon available funding in future budgets.) Low bid of eight (8) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

Items 61-66 approved on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.

67. Approve selection of ESPEY, HUSTON & ASSOCIATES, INC., Austin, Texas, for a study to determine the technical and economic feasibility of a district cooling and heating system in the downtown Austin area powered by a cogeneration facility, in an amount not to exceed \$35,000. (Funding is available in the 1994-95 operating budget of the Electric Utility Department.)

Deleted

68. Ratify an amendment to a contract with ENVIRONMENTAL EQUIPMENT SERVICE CORPORATION, Jeffersonville, Indiana, for additional testing of header material

for the Superheater outlet header at the Holly Street No. 4 Unit, in the amount of \$38,887, for a total contract amount of \$342,157. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) 100% MBE, 0% WBE Subcontractor participation.  
Approved

69. Approve negotiation and execution of a contract with TMG CONSULTING, INC., (MBE), Austin, Texas, to provide consulting services to assess the needs and functionality of the City's current land information utility billing system and develop a system optimization strategy, in an amount not to exceed \$131,500. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Best proposal of six (6). 16.5% MBE, 7.3% WBE Subcontractor participation.  
Approved
70. Approve execution of a contract with GE INDUSTRIAL & POWER SYSTEMS, San Antonio, Texas, for the purchase of one (1) 145kv GCB circuit breaker, in the total amount of \$59,800. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
Approved
71. Amend the City Code to add Chapter 18-6, establishing and regulating the use by third parties of city-owned Utility Infrastructure, and establishing a penalty for violation of this ordinance. (No fiscal impact - application and usage fees and charges to be set by separate ordinance or contract. (Reviewed by Council Committee for Telecommunications)  
1st & 2nd reading approved

Items 68-71 approved on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.

72. Authorize entering into negotiations with the Lower Colorado River Authority for the purchase of up to 10 megawatts of electric power to be generated from the Texas Wind Power Project. (No fiscal impact)

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 5-1-1 vote, Councilmember Reynolds voting No, and Councilmember Mitchell abstaining.

#### Energy Conservation (Items 73-79)

73. Approve the issuance of a Letter of Intent and a rebate in the amount of \$122,760.00 to Embrey/Oakwell Farms, Ltd. for the installation of high efficiency heat pump air conditioning equipment at the Oakwell Farms Apartments, a 396-unit complex currently under construction located at 6000 South MoPac. Energy improvements qualifying for this rebate will save an estimated 220 kilowatts at a program cost of \$558 per kilowatt saved. Each heat pump air conditioning will

save the resident between \$60.00 and \$101.00 per cooling season in energy costs. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives fund.)

Approved

74. Approve the issuance of a Letter of Intent and a rebate in the amount of \$50,656.00 to the Stouffer Austin Hotel, located at 9721 Arboretum Boulevard, for the installation of a high efficiency lighting conversion system. This equipment will save an estimated 126 kilowatts at a cost of \$400.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

75. Approve the issuance of a Letter of Intent and a rebate in the amount of \$101,363.00 to the Farm Credit Bank of Texas, located at 6201 Highway 290 East, for the installation of a high efficiency lighting conversion system. This equipment will save an estimated 282 kilowatts at a cost of \$359.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

76. Approve the issuance of a Letter of Intent and a rebate in the amount of \$89,244.56 to Applied Materials, located at 9700 Highway 290 East, for the installation of variable frequency drives, electric motors, chillers, lighting, building envelope and reflective roof. This equipment will save an estimated 577 kilowatts at a cost of \$154.00 per kilowatt at a cost of \$154.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

77. Approve the issuance of a Letter of Intent and a rebate in the amount of \$69,414.40 to the Hyde Park Baptist Church, located at 3901 Speedway Drive, for the installation of a high efficiency lighting conversion system. This equipment will save an estimated 195 kilowatts at a cost of \$355.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

78. Approve the issuance of a Letter of Intent and a rebate in the amount of \$41,163.60 to 811 Barton Springs Management Company for the installation of a high efficiency lighting conversion system. This equipment will save an estimated 111 kilowatts at a cost of \$370.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

79. Approve the issuance of a Letter of Intent and a rebate in the amount of \$104,545.00 to the Doubletree Hotel, located at 6501 North IH-35, for the installation of a high efficiency lighting conversion system. This equipment will

save an estimated 268 kilowatts at a cost of \$390.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

Items 73-79 approved on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.

**3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION**

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Items 80-81 are AHFC agenda items to be considered by the Austin Housing Finance Corporation's Board of Directors.

80. Approve Minutes of September 29, 1994.

81. Authorize acceptance of \$50,000 in Rental Rehabilitation Funds and amend the Austin Housing Finance Corporation (AHFC) 1994-95 budget by increasing appropriations by \$100,000 to fund the rehabilitation of Meadow Glen Apartments located at 7418 Cameron Road. (Funding in the amount of \$50,000 is available in the Special Revenue Fund of Planning and Development Department and \$50,000 is available from reappropriation of prior years budgeted funds.)

**ITEMS FROM COUNCIL**

82. Approve an ordinance amending Title XIII (Land Development Code) of the Austin City Code of 1992 relating to the replacement of improvements removed as a result of right-of-way condemnation. (Councilmembers Brigid Shea and Jackie Goodman)  
[Related to Item 104]

Ordinance 941215-R approved on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 vote.

83. Approve a resolution directing the City Manager to initiate negotiations for a AAA baseball franchise and the construction of the necessary facilities. (Mayor Bruce Todd, Mayor Pro Tem Michael "Max" Nofziger and Councilmember Ronney Reynolds)

Approved on Councilmember Reynolds' motion, Mayor Pro Tem Nofziger's second, with a Friendly Amendment offered by Councilmember Shea and accepted to add Financing Options after Marketing Analysis in the Resolution, 6-0-1 vote, Councilmember Shea abstaining.

84. Direct the City Manager to appoint a Working Group to investigate possible development incentives related to projects adopting appropriate "green" builder strategies. (Councilmember Brigid Shea)

Approved on Councilmember Shea's motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd temporarily absent.

85. Approve an ordinance amending Section 2-2-9 of the Open Government Act to make the provisions on filing of ordinances and amendments with the City Clerk mandatory unless waived. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

Approved on Councilmember Reynolds' motion, and if passed, to be effective immediately. Councilmember Shea offered a Friendly Amendment waiving amendments that are one page or less in length. Friendly Amendment was not accepted by the maker, Mayor Todd, or Co-Sponsor, Councilmember Reynolds.

Councilmember Garcia offered a Friendly Amendment, which was accepted, to pass on 1st reading only and 72 hours notification on 3rd reading only, 7-0 vote.

86. Direct the City Manager to prepare and return to City Council within 30 days a plan and timeline for the development and implementation of the Central Urban Redevelopment (CURE) Plan. (Councilmember Eric Mitchell)

Approved

87. Direct the City Manager to prepare and return to City Council within 30 days a plan and timeline for the development and implementation of the Austin Redevelopment Authority. (Councilmembers Eric Mitchell and Ronney Reynolds)

Approved

Items 86-87 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

88. C14-94-0123 - HEM PROPERTIES (Steven C. Moore), 5905 to 5909 Manor Road. From SF-3 to MF-3. Planning Commission Recommendation: To grant MF-3-CO, Multi-Family Residence (medium density)-Conditional Overlay, zoning subject to: (1) height limitation of 30 feet; (2) designate 33% of new construction to house handicapped and/or mobility impaired persons through either a conditional use permit or a restrictive covenant; and (3) require handicapped parking to be in accordance with number of units.

Postponed at the request of Applicant until January 5, 1995.

89. C14-94-0129 - DABNEY BROTHERS PARTNERSHIP (Scott Dabney), by Huffcut & Associates (James A. Huffcut), Slaughter Creek Dr. & Slaughter Lane. From DR & SF-2 to LI. Planning Commission Recommendation: To grant CS-CO, Commercial Services-Conditional Overlay, subject to dedication of up to 35 feet of right-of-way from the existing centerline of Slaughter Creek Drive. Provisions of the conditional overlay are as follows: (1) prohibit Restaurant (drive-in, fast food, general and limited), Food Sales, Retail (convenience), Medical Offices, Adult-Oriented Business, and Financial Services for Tracts 1 and 2; (2) development will be limited to generate no more than 2,000 vehicle trips-per-day for Tracts 1 and 2; and (3) prohibit Vehicle Storage for Tract 2.

1st reading approved

90. C14-94-0138 - ARPAD, LLC. (Jack Bokrus), by Ben Greider, 8601 Wall Street. From CS-CO to LI. Planning Commission Recommendation: LI-CO, Limited Industrial Services-Conditional Overlay, with the provisions of the overlay as follows: (1) limit development to a density that will generate less than 2,000 vehicle trips-per-day, and (2) prohibit the following uses - Restaurant (general), Restaurant (limited), Restaurant (drive-in, fast food), Financial Services, General Retail Sales (general), General Retail Sales (limited) and Food Sales. Ordinance 941215-M approved
91. C14-94-0139 - ROYAL ORLEANS NORTH CONDOS (Pat Braun), by Elliott Properties (Michael B. Elliott), 7920 Rockwood Lane. From GR to MF-4. Planning Commission Recommendation: MF-4-CO, Multifamily Residence (moderate-high density)-Conditional Overlay, zoning limited to maximum of 104 units. Ordinance 941215-N approved
92. C14-94-0140 - WASHOE COMPANY (T.J. Finley), by Site Specifics (B.J. Cornelius), 1909 - 1913 San Antonio Street. From LR to GR. Planning Commission Recommendation: GR-CO, Community Commercial- Conditional Overlay, zoning limited to less than 2,000 vehicle trips- per-day.

To be heard by Planning Commission on December 13, 1994; Recommendation to Follow

Ordinance 941215-0 approved

93. C14H-94-0017 - MORSE HOUSE, by Jeff W. & Pamela S. Autry, 3126 Duval Street. From SF-3 to SF-3-H. (Planning Commission recommendation: To grant SF-3-H) Ordinance 941215-P approved
94. C14H-94-0018 - PARKER HOUSE, by David C. Parker, 2404 Rio Grande Street. From GO & MF-4 to GO-H & MF-4-H. (Planning Commission recommendation: To grant MF-4-H) Ordinance 941215-Q approved
95. C14H-94-0020 - HODNETT-ROBERTS HOUSE, by Holt, Rinehart & Winston Publishers (Katherine A. Vigney), 4300 to 4302 Avenue F & 104 to 106 East 43rd Street. From SF-3 to SF-3-H. (Planning Commission Recommendation: To grant SF-3-H) Ordinance 941215-S approved

Items 89-95 approved on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger and Councilmember Shea temporarily absent.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

Public Improvement District (Items 96-98)

96. 4:30 P.M. - Public hearing on Austin Downtown Public Improvement District assessments; approval of assessment roll and levy of assessments. (No fiscal impact.)

Public Hearing closed on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd temporarily absent.

Ordinance 941215-T approved as amended on Councilmember Goodman's motion, Councilmember Garcia's second, 7-0 vote.

97. Approve an amendment to the management contract with the Austin DMO, Inc. for the Austin Downtown Public Improvement District to increase the not-to-exceed amount of the contract to \$786,099 in 1995-96, \$745,000 for 1996-97 and \$756,000 for 1997-98.  
Approved in the amounts of \$786,099 in 1995-96, \$745,000 for 1996-97 and \$756,000 for 1997-98.

98. Amend Ordinance No. 940912-D, the 1994-95 operating budget, by increasing revenue and appropriations for the Planning and Development Special Revenue Fund for the Austin Downtown Public Improvement District by \$786,099. (Funding is available through \$583,919 in 1995 assessments (at 95% collection rate); \$29,009 from accrued interest in the PID Account; \$1,034 from Delinquent Account interest; \$53,871 from unappropriated collections; \$100,000 City of Austin contribution; and \$25,000 Capital Metro Annual Contribution.)  
Ordinance 941215-U approved in the amount of \$786,099.

Items 97-98 approved on Councilmember Goodman's motion, Councilmember Garcia's second, 7-0 vote.

**EXECUTIVE SESSION (No Public Discussion on These Items)**

Executive Session was held on the morning of this date.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on this agenda.

**Land Acquisition - Section 551.072**

99. Discuss fee simple acquisition of real property for the construction of the Brushy Creek Regional Wastewater System.
100. Discuss fee simple acquisition of real property for the construction of Creek Bend Flood Control Project.
101. Discuss fee simple acquisition of real property for the construction of a police substation and a fire station.

102. Discuss fee simple acquisition of real property for the Austin-Bergstrom International Airport.

Advice from Counsel - Section 551.071

103. Seek legal advice on Jerry J. Quick, et al v. City of Austin; Cause No. 920637.  
(Related to Items 110 & 111)
104. Discuss an ordinance amending Title XIII (Land Development Code) of the Austin City Code of 1992 relating to the replacement of improvements removed as a result of right-of-way condemnation. (Related to Item 82)
105. Discuss breaches of Austin CableVision's franchise and pole rental agreement and pending request to transfer franchise to another entity. Discuss Southwestern Bell pole rental agreement negotiations.

ACTION ON THE FOLLOWING

106. Authorize fee simple acquisition of real property located at 3801 Palm Valley Blvd., Round Rock, Texas, for the construction of the Brushy Creek Regional Wastewater System.  
Approved an amount not to exceed \$413,000.00
107. Authorize fee simple acquisition of real property located at 4705, 4707, 4709, 4711 and 4713 Teewood Drive for the construction of Creek Bend Flood Control Project.  
Approved purchase price in the amount of \$137,000.00 for property located 4705 and 4707 Teewood and purchase price in the amount of \$198,000.00 for property located 4709, 4711, and 4713 Teewood, for a total amount of \$335,000.00.

ACTION ON THE FOLLOWING (continued)

108. Authorize acquisition of real property located on Ralph Ablanado Drive for the construction of a police substation and a fire station.  
Approved purchase price in the amount of \$260,000.00
109. Authorize fee simple acquisition of real property located at 5110 FM Road 973 South, Del Valle, Texas, for the Austin-Bergstrom International Airport, and associated relocation costs.  
Approved purchase price in the amount of \$112,000.00 and relocation costs in the amount of \$10,968.00 for a total of \$122,968.00.

Items 106-109 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

110. Amend Ordinance No. 940912-D, the 1994-95 operating budget of the Drainage Utility Fund, by increasing the budgeted beginning balance by \$502,247, and increasing the appropriation by \$502,247, for a total appropriation of \$18,484,926 for legal services. (Related to Items 103 & 111)

1st reading approved on Councilmember Garcia's motion, Councilmember Goodman's second, 4-3 vote, Mayor Todd and Councilmembers Mitchell and Reynolds voting No.

Councilmember Mitchell offered a substitute motion, seconded by Councilmember Reynolds, that the \$502,247.00 be taken from ECSD budget rather than Drainage Utility Fund budget. Substitute motion failed 2-5 vote, Mayor Todd, Mayor Pro Tem Hofziger, and Councilmembers Garcia, Goodman, and Shea voting No.

Item 110 revisited to reconsider previous vote, as item 110 was not passed on all three readings, on Mayor Pro Tem Hofziger's motion, Councilmember Garcia's second, 7-0 vote.

1st reading approved on Councilmember Garcia's motion, Councilmember Goodman's second, 4-3 vote, Mayor Todd and Councilmembers Mitchell and Reynolds voting No.

111. Authorize an amendment to the professional services agreement with Hilgers & Watkins, L.L.P., in the amount of \$702,246.64 for a total contract amount of \$1,298,494.64, for legal services related to Jerry J. Quick v. City of Austin. (Related to Items 103 & 110)

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 4-3 vote, Mayor Todd and Councilmembers Mitchell and Reynolds voting No.

Item 111 revisited to reconsider previous vote, as item 110 was not passed on all three readings, on Mayor Pro Tem Hofziger's motion, Councilmember Garcia's second, 7-0 vote.

No action taken

112. APPOINTMENTS

CITY OF AUSTIN COMMISSION FOR WOMEN - Vera Givens  
ENVIRONMENTAL BOARD - Michael Wilson

Approved on Councilmember Mitchell's motion, Councilmember Reynolds' second, 7-0 vote.

ADDENDUM

DECEMBER 15, 1994, AUSTIN, TEXAS, CITY COUNCIL AGENDA

ITEMS FROM COUNCIL (continued)

113. Consider an ordinance amending Ordinance No. 941205-A by amending impervious cover limits and other water quality provisions thereof, and declaring an emergency. (Councilmembers Brigid Shea and Gus Garcia)  
Postponed indefinitely
- 19

114. Approve an ordinance repealing the moratorium on development applications in the Barton Springs Zone and the watershed which contribute to Barton Springs, and declaring an emergency. (Councilmembers Brigid Shea and Gus Garcia)

Ordinance 941215-L approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

**EXECUTIVE SESSION** (No Public Discussion on These Items) [continued]]

Advice from Counsel - Section 551.071

115. Consider amendments to Ordinance 941205-A to clarify exemptions in Section 13-7-5(a) and 13-2-502 (o) (3) of the Land Development Code of the City of Austin Code of 1992, as amended; and to provide for creation of a maintenance fee; and to provide for correction of clerical errors and to provide for the application of Ordinance 911017-B as further amended, and declaring an emergency.

**ACTION ON THE FOLLOWING** (continued)

116. Approve amendments to Ordinance 941205-A to clarify exemptions in 13-7-5(a) and 13-2-502 (o) (3) of the Land Development Code of the City of Austin Code of 1992, as amended; and to provide for creation of a maintenance fee; and to provide for correction of clerical errors and to provide for the application of Ordinance 911017-B as further amended, and declaring an emergency.

Referred to the Planning Commission and the Environmental Board on Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

**RECESSED** from 4:08 P.M. until 4:11 P.M. for the Board of Directors Meeting of the Austin Housing Finance Corporation.

**ADJOURNED** at 6:51 P.M. on Councilmember Goodman's motion, Councilmember Garcia's second, 7-0 vote.

**APPROVED** this the 12 day of January, 1995, on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell temporarily absent.